

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DEENA HEISLER, Individually;

Plaintiff,

vs.

**ANIMAL CLINIC SUBURBAN, P.C.,
MELODY KALIFF, TREK PROPERTIES,
LLC, and JOHN DOE 1 AND 2
INCLUSIVE,**

Defendants.

8:16CV464

FINDINGS AND RECOMMENDATIONS

The above-captioned suit was filed on October 11, 2016. ([Filing No. 1.](#)) The parties were directed to file a Rule 26(f) Report no later than March 6, 2017. ([Filing No. 23.](#)) On April 7, 2017, counsel for Defendants filed a Motion for Extension of Time to File the Rule 26(f) Report. ([Filing No. 28.](#)) On April 7, 2017 the Court granted the extension and the parties were directed to file their Rule 26(f) Report by April 28, 2017. (Text Order No. 29.) On April 27, 2017, the Court received an email from counsel for Defendants advising that Plaintiff intended to dismiss this case. On April 28, 2017, the Court emailed counsel for all parties requesting confirmation that Plaintiff intended to dismiss the case. Plaintiff's counsel has not responded to the email.

On May 3, 2017, having still not received a Rule 26(f) Report, the undersigned issued a Show Cause Order. ([Filing No. 30.](#)) The Show Cause Order directed Plaintiff to show cause why this action should not be dismissed for lack of prosecution by May 15, 2017. The Show Cause Order advised Plaintiff that failure to comply with the order would result in a recommendation that the case be dismissed. To date, Plaintiff has not responded to the Show Cause Order.

Accordingly,

IT IS HEREBY RECOMMENDED to United States District Court Judge Robert F. Rossiter, Jr. that this action be dismissed for want of prosecution.

A party may object to a magistrate judge's findings and recommendation by filing an objection within fourteen (14) days after being served with a copy of the findings and recommendation. NECivR 72.2. Failure to timely object may constitute a waiver of any objection.

Dated this 16th day of May, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge